

## COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1545.00  
COMPLAINT INVESTIGATOR: Karyn Romer  
DATE OF COMPLAINT: March 10, 2000  
DATE OF REPORT: April 5, 2000  
REQUEST FOR RECONSIDERATION: no  
DATE OF CLOSURE: April 26, 2000

## COMPLAINT ISSUE:

Whether the North Harrison Community School Corporation and the Harrison County Special Education Cooperative violated:

- 511 IAC 7-12-1 with regard to the school's alleged failure to implement the student's individualized education program ("IEP") as written, specifically, failing to implement identified accommodations.

## FINDINGS OF FACT:

2. The student (the "Student") is thirteen years old and is eligible to receive special education and related services as a student with other health impairment.
3. The Student's *individualized education program ("IEP")* was developed on November 5, 1999. The following accommodations are checked on the *IEP - Modifications and Accommodations*:
  - use checklists to help student get organized;
  - use assignment notebook;
  - provide assignments/test dates in advance; and
  - establish specific routine and adhere to it when possible.
4. A parent-teacher conference was held on January 11, 2000 to discuss the Complainant's concerns regarding communication to the Complainant from the Student's teachers about homework assignments and advance notification of tests as required by the Student's *IEP*. The Complainant also requested a specific routine as required by the Student's *IEP* for turning in assignments at the beginning of the day since the Student often misplaced homework assignments before giving the homework to the appropriate teacher. As a result of this conference, weekly assignment sheets would be completed by teachers on Monday and given to the Complainant for advance notice of tests, notebook due dates, and homework assignments; weekly progress reports would be completed by teachers and given to the Complainant on Friday; and, a red homework folder would be utilized to organize the Student's homework assignments for distribution to the appropriate teachers by the Student's teacher-of-record ("TOR"). The school counselor (the "Counselor") documented this information in an undated memo to the Complainant and distributed the memo to each of the Student's teachers. The case conference committee did not convene to incorporate these specifics into the Student's *IEP*.

5. The School considered the details agreed upon in the parent-teacher conference to be temporary until the Student established a specific routine and had some success at school. The Complainant was unaware that these were temporary measures. The School stopped sending the weekly assignment sheet and weekly progress reports after a few weeks because it was a duplication of the information in the Student's assignment notebook, the Student had established a routine, and the Student's grades improved.
6. The Assistant Director of Special Education (the "Assistant Director") stated that the Student was determined eligible for special education services on November 5, 1999. The Student's teachers were given page #4 of the Student's *IEP-Modification and Accommodations*. The teachers were asked to initial the Student's assignment book each day and the TOR began to check with the Student in the morning and during the last period of the day to help with organization of school work, homework, books, and materials to go home. This time was also used to help the Student prioritize assignments and to establish routine by organizing each class period with books and folders. This routine continued for about three weeks.
7. On November 29, 1999, the Principal, the Student's Literature teacher and the Complainant decided that the Student was missing too much of the 8<sup>th</sup> period Literature class due to being pulled out to get the Student organized to go home. The Literature class was changed to 5<sup>th</sup> period, and the Student was placed in an 8<sup>th</sup> period resource study hall with the TOR. The TOR's schedule was also changed to accommodate the Student's needs.
8. On December 1, 1999 the Student's daily routine was adjusted to ensure:
  - the Student received assistance at the beginning of the day to get organized for the day's assignments and activities;
  - the assignment book was appropriately utilized by the Student and the Student's teachers; and
  - the Student received assistance at the end of the day to get homework organized and to prepare for the following day.

In addition, the TOR consulted with the Student's teachers at least three times per week and communicated with the Complainant.

9. The Student's assignment notebook indicates that it is utilized daily for logging homework assignments and tests. There are also comments written in the assignment notebook from the Student's teachers and the Complainant.
10. On February 1, 2000, following a telephone call with the Complainant, the TOR added some organizational steps for the TOR to assist the Student with a daily routine.

#### **CONCLUSION:**

Findings of Fact #2 through #9 indicate that the accommodations identified in the Student's *IEP* are being implemented as written. The School has implemented the use of a daily assignment notebook as a means of assisting the Student to organize the Student's school work and assignments and documenting assignments and test dates in advance. Findings of Fact #3, #5, #6, #7 and #9 indicate that the School has implemented specific routines to assist the Student's organization of school assignments/homework, as required by the Student's *IEP*. Therefore, no violation of 511 IAC 7-12-1 occurred.

**The Department of Education, Division of Special Education requires no corrective action based**

**on the Findings of Fact and Conclusion listed above.**